

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JASMINE TORO,

Plaintiff,

-against-

LE ELEGANT BATH, INC.,

Defendant.

23-cv-3897 (AS)

ORDER OF DISMISSAL

ARUN SUBRAMANIAN, United States District Judge:

The complaint in this case was filed on May 9, 2023. Dkt. 1. Plaintiff has not yet served Defendant. Under Federal Rule of Civil Procedure 4(m), the Court “must dismiss the action” if Defendant “is not served within 90 days after the complaint is filed” or “order that service be made within a specified time.” If “the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.* The Court has already granted multiple extensions. Dkts. 12, 17. And the Court gave Plaintiff notice that failure to serve within the last extension period (which expired on November 17, 2023) would result in this case’s dismissal. Dkt. 17. Plaintiff has not shown good cause for further extension, nor would it be appropriate to further extend the time for service. Thus, under Rule 4(m), this case is **DISMISSED WITHOUT PREJUDICE**.

The Clerk of Court is respectfully directed to **CLOSE** this case.

SO ORDERED.

Dated: November 20, 2023
New York, New York



ARUN SUBRAMANIAN
United States District Judge